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ATTORNEYS FOR DIRECT PURCHASER PLAINTIFFS

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA**

IN RE TELESCOPES ANTITRUST  
 LITIGATION

This Document Relates to:

AURORA ASTRO PRODUCTS LLC,  
 PIONEER CYCLING & FITNESS, LLP, and  
 those similarly situated,

Plaintiffs,

v.

CELESTRON ACQUISITION, LLC, SUZHOU  
 SYNTA OPTICAL TECHNOLOGY CO., LTD.,  
 SYNTA CANADA INT'L ENTERPRISES  
 LTD., SW TECHNOLOGY CORP., OLIVON  
 MANUFACTURING CO. LTD., OLIVON USA,  
 LLC, NANTONG SCHMIDT OPTO-  
 ELECTRICAL TECHNOLOGY CO. LTD.,  
 NINGBO SUNNY ELECTRONIC CO., LTD.,  
 PACIFIC TELESCOPE CORP., COREY LEE,  
 DAVID SHEN, SYLVIA SHEN, JACK CHEN,  
 JEAN SHEN, JOSEPH LUPICA, DAVE  
 ANDERSON, LAURENCE HUEN, and DOES  
 1-50,

Case No. 5:20-cv-03639-EJD

Case No. 5:20-cv-03642-EJD

**DIRECT PURCHASER PLAINTIFFS'  
 STATEMENT REGARDING SUMMARY  
 JUDGMENT BRIEFING AND  
 SCHEDULE PURSUANT TO MARCH  
 14, 2025 ORDER (ECF NO. 733)**

**Judge:** Hon. Edward J. Davila  
**Courtroom:** 4, 5th Floor

**Compl. Filed:** June 1, 2020  
**Fourth Am.** September 1, 2023  
**Compl. Filed:**  
**Trial Date:** None Set

Defendants.

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1 Direct Purchaser Plaintiffs (“DPPs”) respectfully submit this statement regarding summary  
2 judgment briefing pursuant to the Court’s March 14, 2025 Order (Dkt. 733).

3 In its Order, the Court stated, “The Parties are to meet and confer regarding omnibus  
4 briefing and schedule and page limits - with Defendants’ opening brief in the range of 45 to 50  
5 pages. The Parties will submit a proposed pretrial schedule - including the omnibus briefing  
6 schedule (with proposed page limits) no later than 4:00 PM on 3/24/2025.” (*Id.*) The same day,  
7 DPPs sent Defendants a proposal. For the next week, Defendants chose to level attacks on DPPs’  
8 counsel and refused to send over any counterproposal that complied with the Court’s Order. This  
9 correspondence is attached as **Exhibit 1**.

10 Because the parties were unable to agree upon a schedule, DPPs propose the following page  
11 limitations and schedule:

12 **DPPs’ Proposed Omnibus Page Limits**

- 13 • Motion: 45 pages
- 14 • Opposition: 45 pages
- 15 • Reply: 20 pages
- 16 • Defendants’ Moving Separate Statement: 35 pages
- 17 • DPPs’ Responsive Separate Statement: shall add no more than 15 pages to the Moving  
18 Separate Statement

19 **DPPs’ Proposed Omnibus Briefing Schedule**

- 20 • Motion: March 31
- 21 • Opposition: May 5
- 22 • Reply: May 12
- 23 • Hearing: Date to be confirmed with Courtroom Deputy (DPPs’ counsel is unavailable  
24 for a May hearing)

25 **DPPs’ Proposal Regarding Trial Setting Conference:** To be determined by the Court  
26 with the remaining dates for the trial and pretrial conference to be set then.

27 The rationale for DPPs’ proposal is that it complies with the Court’s express page limitation  
28 and increases the length of the separate statement proportionally to the limits set in the Court’s

1 Standing Order. It also gives Defendants an ample extension of time to file the motion, which they  
2 have been working on since the March 14 status conference, and DPPs fair time to respond.

3 Defendants' proposal does not comply with the Court's Order. It would also result in  
4 lengthy briefs and separate statements that mirror the ones that the Court already struck. It also  
5 extends out the time for Defendants to file the motion, which should already be done, for a month  
6 while simultaneously leaving DPPs insufficient time to respond.

7 DPPs therefore respectfully request that the Court adopt the page limits and schedule in  
8 their proposal set forth above.

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10 Dated: March 24, 2025

Respectfully submitted,

BRAUNHAGEY & BORDEN LLP

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12 By: /s/ Matthew Borden  
Matthew Borden

13 *Attorneys for Direct Purchaser Plaintiffs*  
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